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FAX NUMBER TRANSMITTED TO: (703) 872-9306

To: Examiner Cheryl L. Miller, Art Unit 3738

Of: U.S. Patent and Trademark Office

From: Rosenbaum &amp; Associates, P.C.

Client/Matter: 6006-019

Date: Thursday, January 15, 2004

| DOCUMENTS   | NUMBER OF PAGES* |
|---|------------------|
| Transmittal document  | 1                |
| Response with Amendment   | 9                |
| Duplicate Signature Page re Deposit Account Charges   | 1                |
| Copy: Information Disclosure Statement, including<br>Certification of Hand Delivery and Date Stamped Postcard<br>Acknowledgment | 23               |
| Associate Power of Attorney   | 1                |
| Notice of Change of Address of Attorney of Record   | 1                |
|   |                  |
| <b>TOTAL</b>  | <b>36</b>        |

COMMENTS: In Re: U.S. Serial No. 09/745,304  
Applicant: Palmaz, et al.  
Attorney Docket No. 6006-019

THE INFORMATION CONTAINED IN THIS FACSIMILE COMMUNICATION MAY BE CONFIDENTIAL AND IS INTENDED SOLELY FOR THE USE OF THE RECIPIENT NAMED ABOVE. IF YOU ARE NOT THE INTENDED RECIPIENT, ANY DISSEMINATION, DISTRIBUTION, COPYING OR OTHER USE OF THIS COMMUNICATION FOR ANY PURPOSE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE TELEPHONE THE SENDER IMMEDIATELY, AND MAIL THE ORIGINAL COMMUNICATION TO THE SENDER AT THE ABOVE ADDRESS. THANK YOU.

A PROFESSIONAL CORPORATION PRACTICING INTELLECTUAL PROPERTY LAW  
650 DUNDEE ROAD • SUITE 380 • NORTHBROOK, ILLINOIS 60062  
TELEPHONE (847) 770-6000 • FACSIMILE (847) 770-6006

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Palmaz, et al.

Serial No.: 09/745,304

Group Art Unit: 3731

Filed: 12/22/00

Examiner:

For: ENDOLUMINAL DEVICE EXHIBITING IMPROVED ENDOTHELIALIZATION AND  
METHOD OF MANUFACTURE THEREOFCommissioner of Patents and Trademarks  
Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

(first page for use during pendency of application)

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ Identification of Time of Filing
3. ☐ Request for consideration of Information Disclosure Statement Submitted After Allowance
4. ☒ Statements With Respect To Listing of Information
5. ☐ Statements With Respect To Translations of Non-English Information
6. ☒ Statements With Respect To Copies of Listed Information Items Accompanying This Statement
7. ☐ Statement of Non-Possession of Documents
8. ☒ Concise Explanation of Listed Information Items

This statement concludes with section 9, PTO-1449 and section 10, Identification of Person(s) Making This Information Disclosure Statement.

## CERTIFICATION OF HAND DELIVERY

I hereby certify that this Information Disclosure Statement (along with any paper referred to as being attached or enclosed) is being deposited with the United States Patent and Trademark Office on the date shown below, addressed: Commissioner of Patents and Trademarks, Washington, D.C. 20231, via hand delivery.

PATENTEC for Rosenbaum &amp; Associates, P.C.

Alexander Nalbents  
(Type or print name of person mailing paper)Date: 1-30-02Alexander Nalbents  
(Signature of person mailing paper)

(Information Disclosure Statement - First Page (alt. II) [6-1] -page 1 of 21)

0481

RECEIVED  
JAN 30 2002  
TECHNOLOGY CENTER 3700

PLEASE ACKNOWLEDGE RECEIPT OF:

Information Disclosure Statement (21 pages)  
Copies of 167 cited references

APPLICANT: Palmaz, et al.

SN: 09/745,304

FILED: 12/22/00

AU: 3731

TITLE: Endoluminal Device Exhibiting Improved Endo-  
thelialization and Method of Manufacture Thereof

1/28/02

DGR

6006-019

VIA HAND DELIVERY

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JAN 30 2002  
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PATENT

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In re application of: Palmaz, et al.

Serial No.: 09/745,304

Group Art Unit: 3731

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5. ☐ Statements With Respect To Translations of Non-English Information
6. ☒ Statements With Respect To Copies of Listed Information Items Accompanying This Statement
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PATENTEC for Rosenbaum &amp; Associates, P.C.

(Type or print name of person mailing paper)

Date: \_\_\_\_\_

(Signature of person mailing paper)

(Information Disclosure Statement - First Page (alt. II) [6-1] --page 1 of 21)

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**1. Preliminary statements**

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56 it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(b) the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists.

**NOTE:** THE FOLLOWING REQUIREMENTS MUST BE MET TO ASSURE THAT ALL ITEMS LISTED ON THE INFORMATION STATEMENT ARE CONSIDERED: If the Information Disclosure Statement is submitted before the claims have been indicated as allowable and includes (1) a listing of patents, publications or other information, (2) a concise explanation of the relevance of each listed item and (3) a copy of each listed item or the relevant portion of the listed patents, publications or other information (along with a translation of pertinent portions of foreign language items, if available) then it must be considered by the Examiner. The Examiner may consider a citation for any reason, whether or not the citation is in full conformance with this procedure. MPEP § 609.

(Text continued on page 6-13)

(Information Disclosure Statement - Section 1 Preliminary Statements [6-1] -- Page 2 of 21)

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**2. Identification Of Time Of Filing**

This Information Disclosure Statement

(check and complete (a), (b), (c), (d), or (e))

- (a) ☐ accompanies the new patent application submitted herewith. 37 CFR 1.97 (a)

NOTE: If this item is checked then use FRONT PAGE with Express Mail Certificate of Mailing corresponding to type of mailing for a new case.

- (b) ☒ is filed within three months after the filing date of the application or two months after receiving the filing receipt or prior to a first substantive action on the merits of the case, whichever is later. 37 CFR 1.97(a)

NOTE: Applicants are "encouraged" to file within this time period if the statement is not filed with the application. 37 CFR 1.97(e).

- (c) ☐ this Information Disclosure Statement is being submitted as the information was brought to attention.

- (d) ☐ is being submitted after notice of allowance and a Request For Consideration Of Information Disclosure Statement Submitted After Allowance (Section 3) is included.

NOTE: Any amendment after the mailing of the notice of allowance may not be made as a matter of right and must be accompanied by a petition fee if made after the issue fee is paid. 37 CFR 1.312.

- (e) ☐ is a supplemental Information Disclosure Statement under 37 CFR 1.99

☐ a previous Information Disclosure Statement was filed on \_\_\_\_\_

NOTE: Updating of the Information Disclosure Statement should be submitted to the PTO with reasonable promptness and shall be accompanied by explanations of relevance and by copies of art in accordance with the requirements of the Information Disclosure Statement itself. 37 CFR 1.99 The transmittal should include a statement explaining why the information was not earlier transmitted (and this can be done in the space below). If the transmittal is after allowance it shall include such an explanation (this is provided for in Request for Consideration of Information Disclosure Statement Submitted After Allowance). MPEP § 609.

☐ this supplemental Information Disclosure Statement is being submitted as the information was brought to attention

- (f) ☐ The art was encountered in the course of the prosecution of the corresponding foreign application(s) in

\_\_\_\_\_  
(name(s) of country(ies) and serial number(s))

(Information Disclosure Statement - Section 2 Identification of Time of Filing [6-1] - page 3 of 21)

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#### 4. Statements With Respect To Listing Of Information

A list of the patent(s) and/or publications is set forth on the attached (Section 9) THIRTEEN page(s) of Form PTO-1449 (Modified).

**NOTE:** In completing PTO-1449 (Modified) it should be kept in mind that 37 CFR 1.98(a) requires that "All United States patents listed should be identified by their patent numbers, patent dates, and names of the patentees. Each foreign published application of patent should be cited by identifying the country or office which issued it, the document number and publication date indicated on the document. Each printed publication should be identified by author (if any), title of the publication, pages, date and place of publication."

The Notice of August 5, 1985 (1057 O.G. 41) States: "Among the information that should be provided on Form PTO-1449 is the date of the citation. In addition, it is helpful if the class and subclass of each citation is provided. It is appreciated that classification information may not be known at the time Form PTO-1449 is prepared. When classification information is not known, draw a line in the boxes under the class and subclass heading adjacent to the citation for which classification information is not known."

**NOTE:** The reference designations "AA", "AB", etc. (referring to Applicants' reference A, Applicants' reference B, etc.) will be used by the Examiner in the same manner as the Examiner's reference designations "A", "B", "C", etc. on Office Action Form PTO-1142." Notice of August 15, 1980 (998 O.G. 5).

**NOTE:** REPRESENTATIVE ITEMS: "When two or more patents or publications considered material are substantially identical, a copy of the representative one may be included in the statement and others merely listed." 37 CFR 1.98(b).

**WARNING:** The Notice of December 23, 1982 (1027 TMOG 7-52) points out. "The final rule states clearly that the publication date indicated on the document should be submitted. This will not serve to preclude a showing of a different, actual publication date. Another purpose of the citation requirement in this section is to permit ready reference to the document from its citation."

The Notice of August 5, 1985 (1057 O.G. 41) states: "Note that the listing citations of Form PTO-1449 does not raise an irrebuttable presumption that the citation is prior art. A holding by an Examiner that any citation of Form PTO-1449 is prior art matter can be rebutted by procedures commonly used to rebut the prior art status of the Examiner's citations." Notice of References Cited."

(complete (a) or (b) if applicable)

(a) ☐ \_\_\_\_\_ is believed to be representative of the following patents or publications:

(b) ☐ \_\_\_\_\_ in the English language is believed to be the equivalent of the following non-English patents or publications:

(Information Disclosure Statement - Section 4 Statements With Respect To Listing of Information [6-1] --  
page 4 of 21)

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**5. Statements With Respect To Translations of Non-English Information**

*NOTE: "A translation of the pertinent portions of foreign language patents or publications considered material should be transmitted if an existing translation is readily available to the applicant." 37 CFR 1.96(b).*

☒ Submitted herewith is an English translation of the following foreign language patents, publications or information or of those portions of those patents, publications or information considered to be material:

1. Japanese Patent No. 61-88135 (Abstract only)

☐ No English language translations of the foreign language patents, publications or information or parts thereof are readily available, except for those listed above.

(Information disclosure Statement - Section 5 Statements With Respect To Translations of Non-English Information [6-1] --  
page 5 of 21)

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**6. Statements With Respect To Copies of Listed Information Items Accompanying This Statement**

**NOTE:** 37 CFR 1.98(a) requires that the Information Disclosure Statement shall be accompanied by a copy of each listed patent or publication or other item of information in written form or of at least the portions thereof considered by the person filing the disclosure statement to be pertinent.

37 CFR 1.56(b) states: "Disclosures .... must be accompanied by a copy of each foreign patent document, non-patent publication, or other non-patent item of information in written form which is being disclosed or by a statement that the copy is not in the possession of the person making the disclosure ..."

"The portion of a document required to be submitted under § 1.56(b) is the portion which is material to the examination of the application under § 1.56(a). "Notice of November 30, 1983, 49 FR 5-48, January 4, 1984.

There is no assurance that art or other information not submitted with copies of listed items in accordance with the guidelines will be considered by the Examiner. MPEP § 609.

A copy of

☒ each

☐ none

☐ only those listed below

of the items on PTO-1449 (Modified) is supplied herewith:

(indicate if only a portion of a listed item is being supplied)

**NOTE:** If each listed item is not supplied herewith, complete Section 7, Statement of Non-Possession of Documents, to ensure that Information Disclosure is considered and/or to avoid an Office Action.

(Information Disclosure Statement - Section 6 Statement With Respect To Copies Of Listed Information Items Accompanying This Statement [6-1] - page 6 of 21)

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## 8. Concise Explanation of Listed Information Items

*NOTE: 37 CFR 1.98(a) requires that the Information Disclosure Statement shall include a "concise explanation" of the relevance of each listed item.*

*This "concise explanation" may be nothing more than identification of the particular figure or paragraph of the patent or publication which has some relation to the claimed invention. It might be a simple statement pointing to similarities between the listed item and the claimed invention. It is permissible but not necessary to discuss differences between the listed item and the claims. It is thought that the explanation of relevance will be useful to the Examiner and should not be significantly burdensome for the applicant to prepare. A statement to the effect that an item is listed because it was cited during the prosecution of a counterpart foreign application and is not considered material to the examination of the U.S. application, is to be considered as satisfying the concise explanation requirement of 37 CFR 1.98(a). MPEP § 609.*

*There is no assurance that art of other information not submitted with a concise explanation of listed items in accordance with the guidelines will be considered by the Examiner. MPEP § 609.*

A concise explanation of the items listed on PTO-1449 (Modified) is:

- ☐ not given  
☒ given for only some listed item(s)  
☐ given for each listed item

PTO-1449 (Modified)

CONCISE EXPLANATION

REFERENCE DESIGNATION

- AC10 Reference has a priority date of February 1, 2001 and teaches a thin walled sheet having thickness of 25 microns or less. There is no teaching of vacuum deposition methods in the reference.
- AP3 Reference is the corresponding PCT international application of reference AC10.
- AD10 Reference has an earliest priority date of January 24, 2000 and teaches fabrication of tubular implantable medical devices by sputter deposition
- AO3 Reference is the corresponding PCT international application of reference AD10
- AD5 Reference teaches vacuum deposition formation of porous sheet stents that are formed into stents after being released from the deposition substrate. The resultant device is not radially expandable.

(Information Disclosure Statement - Section 8 Concise Explanation of Listed Items [6-1] - page 7 of 21)

0481

**FORM PTO - 1449 (Modified)**

List of Patents and Publications

For Applicant's Information

Disclosure Statement

(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-019

APPLICANT: Palmaz, et al.

FILING DATE: 12/22/00

SERIAL NO: 09745,304

GROUP: 3731

**U.S. PATENT DOCUMENTS**

| Examiner's<br>Initials | Ref.<br>Desig. | Document<br>Number | Date      | Name              | Class.   | Subclass |
|------------------------|----------------|--------------------|-----------|-------------------|----------|----------|
|                        | AA1            | 5,824,056          | 10/20/056 | Rosenberg         | 623/1    | 606/191  |
|                        | AB1            | 5,849,206          | 12/15/98  | Amon, et al.      | 216/63   | 216/37   |
|                        | AC1            | 5,858,556          | 1/12/99   | Eckert, et al.    | 428/586  | 428/662  |
|                        | AD1            | 5,873,904          | 2/23/99   | Ragheb, et al.    | 623/1    | 623/11   |
|                        | AE1            | 5,725,573          | 3/10/98   | Dearnaley, et al. | 623/2    | 427/2.25 |
|                        | AF1            | 5,605,714          | 2/25/97   | Dearnaley, et al. | 427/2.24 | 427/2.25 |
|                        | AG1            | 4,846,834          | 7/11/89   | von Recum, et al. | 623/11   | 623/66   |
|                        | AH1            | 5,984,905          | 11/16/99  | Dearnaley, et al. | 604/265  | 427/2.24 |
|                        | AI1            | 4,751,099          | 6/14/88   | Niino, et al.     | 427/34   | 427/423  |
|                        | AJ1            | 4,510,182          | 4/9/85    | Cornils, et al.   | 427/162  | 427,165  |
|                        | AK1            | 5,242,710          | 9/7/93    | Claar, et al.     | 427/248  | 427/249  |

**FOREIGN PATENT DOCUMENTS**

| Ref.<br>Desig. | Document<br>Number | Date     | Country | Class | Subclass       | Trans.<br>Yes No |
|----------------|--------------------|----------|---------|-------|----------------|------------------|
| AL1            | 97/44692           | 11/27/97 | WIPO    | G02B  | 6/16           |                  |
| AM1            | 98/45506           | 10/15/98 | WIPO    | C25D  | 7/04 B23H      |                  |
| AN1            | 98/13537           | 4/2/98   | WIPO    | C25D  | 1/00 C23F 1/02 |                  |
| AO1            | 99/23977           | 5/20/99  | WIPO    | A61F  | 2/06           |                  |
| AP1            | 61-88135           |          | Japan   |       |                |                  |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR1 "Liquid Sources for Chemical Vapor Deposition of Group 6 Metals and Metal Nitrides" by Gordon, et al., [www.techtransfer.harvard.edu/cgi-bin/TALSearch.cgi?full\\_report=1&case=3](http://www.techtransfer.harvard.edu/cgi-bin/TALSearch.cgi?full_report=1&case=3), Case Number 1709

AS1 "Fabrication of Small-Scale Coils and Bands as Photomasks on Optical Fibers for Generation of In-Fiber Gratings, Electromagnets as Micro-NMR Coils, Microtransformers, and Intra-Vascular Stents" [www.techtransfer.harvard.edu/cgi-bin/TALSearch.cgi?full\\_report=1&case=72](http://www.techtransfer.harvard.edu/cgi-bin/TALSearch.cgi?full_report=1&case=72), Case Number 1263

AT1 "Reactions of Biological Cells to Nanostructures", by Curtis, et al., AVS 46<sup>th</sup> International Symposium, Paper BI-WeM2 (October 27, 1999)

**EXAMINER****DATE CONSIDERED**

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant

(Information Disclosure Statement - Section 9 PTO-1449 (Modified) [6-1] - page 8 of 21)

0481

**FORM PTO - 1449 (Modified)**

List of Patents and Publications

For Applicant's Information

Disclosure Statement

(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-019

APPLICANT: Palmaz, et al.

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SERIAL NO: 09/745,304

GROUP: 3731

**U.S. PATENT DOCUMENTS**

| Examiner's<br>Initials | Ref.<br>Desig. | Document<br>Number | Date     | Name              | Class      | Subclass   |
|------------------------|----------------|--------------------|----------|-------------------|------------|------------|
|                        | AA2            | 5,899,935          | 5/4/99   | Ding              | 623/1      | 623/12     |
|                        | AB2            | 5,723,219          | 3/3/98   | Kolluri           | 428/411.1  | 428/407    |
|                        | AC2            | 5,811,151          | 9/22/98  | Hendricks, et al. | 427/2.24   | 427/2.3    |
|                        | AD2            | 5,866,113          | 2/2/99   | Hendricks, et al. | 424/78.17  | 424/78.18  |
|                        | AE2            | 5,084,151          | 1/28/92  | Vallana           | 204/192.11 | 204/192.14 |
|                        | AF2            | 5,477,864          | 12/26/95 | Davidson          | 128/771    |            |
|                        | AG2            | 5,607,463          | 3/4/97   | Schwartz, et al.  | 623/1      | 623/12     |
|                        | AH2            | 5,609,629          | 3/1/97   | Fearnott, et al.  | 623/1      | 623/11     |
|                        | AI2            | 5,647,858          | 7/15/97  | Davidson          | 604/264    |            |
|                        | AJ2            | 5,649,951          | 7/22/97  | Davidson          | 606/198    |            |
|                        | AK2            | 5,690,670          | 11/25/97 | Davidson          | 606/198    | 606/191    |

**FOREIGN PATENT DOCUMENTS**

| Ref.<br>Desig. | Document<br>Number | Date     | Country | Class | Subclass   | Trans.<br>Yes No |
|----------------|--------------------|----------|---------|-------|------------|------------------|
| AL2            | WO99/62432         | 09.12.99 | WIPO    | A61F  | 2/06, 2/01 |                  |
| AM2            | WO01/55473         | 02.08.01 | WIPO    | C23C  | 14/00      |                  |
| AN2            | WO97/07257         | 27.02.97 | WIPO    | C23C  | 14/00      |                  |
| AO2            | 1452370            | 21.03.74 | Germany | C21C  | 37/15      |                  |
| AP2            | 0 400 947          | 29.05.90 | Europe  | C23C  | 16/00      |                  |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR2 "Biocompatibility of Cardiac Cells on Silane-Modified Surfaces" AVS 46<sup>th</sup> International Symposium, Paper BI-WeM5 (October 27, 1999)

AS2 "Biofunctionalization of Surfaces with Peptide Amphiphiles" AVS 46<sup>th</sup> International Symposium, Paper No. BI-WeM7 (October 27, 1999)

AT2 "Plasma Copolymer Surfaces for Cell Culture" AVS 46<sup>th</sup> International Symposium, Paper No. Paper BI-WeM9 (October 27, 1999)

EXAMINER

DATE CONSIDERED

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(Information Disclosure Statement - Section 9 PTO-1449 (Modified) [8-1] - page 9 of 21)

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**FORM PTO - 1449 (Modified)**

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| Examiner's<br>Initials | Ref.<br>Desig. | Document<br>Number | Date     | Name             | Class   | Subclass |
|------------------------|----------------|--------------------|----------|------------------|---------|----------|
|                        | AA3            | 5,735,896          | 4/7/98   | Amon, et al.     | 623/11  | 623/1    |
|                        | AB3            | 5,765,418          | 6/16/98  | Rosenberg        | 72/47   | 72/42    |
|                        | AC3            | 5,772,864          | 6/30/98  | Moller, et al.   | 205/73  | 205/75   |
|                        | AD3            | 5,782,910          | 7/21/98  | Davidson         | 623/3   |          |
|                        | AE3            | 5,824,049          | 10/20/98 | Ragheb           | 623/1   | 623/11   |
|                        | AF3            | 5,728,158          | 3/17/98  | Lau, et al.      | 623/12  | 606/194  |
|                        | AG3            | 5,840,009          | 11/24/98 | Fischell, et al. | 600/3   |          |
|                        | AH3            | 5,728,908          | 7/21/98  | Cahalan, et al.  | 623/1   | 623/11   |
|                        | AI3            | 6,042,597          | 3/28/00  | Kveen, et al.    | 606/198 | 623/1    |
|                        | AJ3            | 6,071,305          | 6/6/00   | Brown, et al.    | 623/1   | 623/12   |
|                        | AK3            | 5,972,027          | 10/26/99 | Johnson          | 623/1   | 623/12   |

**FOREIGN PATENT DOCUMENTS**

| Ref.<br>Desig. | Document<br>Number | Date     | Country | Class | Subclass | Trans.<br>Yes No |
|----------------|--------------------|----------|---------|-------|----------|------------------|
| AL3            | 0 442 303          | 25.01.91 | Europe  | C23C  | 16/26    |                  |
| AM3            | 11267462           | 05.10.99 | Japan   | B01D  | 59/34    |                  |
| AN3            | 51055724           | 17.05.76 | Japan   | C22C  | 01/02    |                  |
| AO3            | WO01/53559         | 26.07.01 | WIPO    | C23C  | 14/14    |                  |
| AP3            | WO01/56502         | 09.08.01 | WIPO    | A61F  | 2/06     |                  |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR3 "Plasma Co-polymer Surfaces for the Controlled Adsorption of Common Proteins" AVS 46<sup>th</sup> International Symposium, Paper No. BI-Frm2 (October 29, 1999)

AS3 "Biofilm - Titanium Chemistry of Adhesion Using X-ray Photoelectron Spectroscopy" AVS 46<sup>th</sup> International Symposium, Paper No. BI-Frm10

AT3 "Nanoscale Patterning of Gold for Attachment of Supported Lipid Bilayers" AVS 46<sup>th</sup> International Symposium, Paper No. BI-Frm10

**EXAMINER****DATE CONSIDERED**

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(Information Disclosure Statement - Section 9 PTO-1449 (Modified) [6-1] -- page 10 of 21)

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| Examiner's<br>Initials | Ref.<br>Desig. | Document<br>Number | Date     | Name             | Class     | Subclass  |
|------------------------|----------------|--------------------|----------|------------------|-----------|-----------|
|                        | AA4            | 6,086,773          | 7/11/00  | Dufresne, et al. | 216/8     | 216/48    |
|                        | AB4            | 5,630,840          | 5/20/97  | Mayer            | 623/1     | 623/11    |
|                        | AC4            | 5,955,588          | 9/21/99  | Tsang, et al.    | 536/21    | 514/56    |
|                        | AD4            | 5,968,091          | 10/19/99 | Pinchuk, et al.  | 623/1     | 600/36    |
|                        | AE4            | 5,962,138          | 10/5/99  | Kolluri, et al.  | 428/411.1 | 428/407   |
|                        | AF4            | 5,387,247          | 2/7/95   | Vallana, et al.  | 623/2     | 623/12    |
|                        | AG4            | 5,607,463          | 3/4/97   | Schwartz, et al. | 623/1     | 623/12    |
|                        | AH4            | 6,106,642          | 8/22/00  | DiCarlo, et al.  | 148/563   | 148/675   |
|                        | AI4            | 5,891,507          | 4/6/99   | Jayaraman        | 427/2.25  | 427/318   |
|                        | AJ4            | 5,744,515          | 4/28/98  | Clapper          | 523/113   | 523/114   |
|                        | AK4            | 5,932,299          | 8/3/99   | Katoot           | 427/508   | 427/385.5 |

## FOREIGN PATENT DOCUMENTS

| Ref.<br>Desig. | Document<br>Number | Date | Country | Class | Subclass | Trans.<br>Yes No |
|----------------|--------------------|------|---------|-------|----------|------------------|
| AL4            |                    |      |         |       |          |                  |
| AM4            |                    |      |         |       |          |                  |
| AN4            |                    |      |         |       |          |                  |
| AO4            |                    |      |         |       |          |                  |
| AP4            |                    |      |         |       |          |                  |

## OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR4 "Focused Ion Beam NonaFabrication", <http://www.glue.umd.edu/~astan/avs04.htm>

AS4 "Amorphous Carbon and C:N Thin Films" <http://www.glue.umd.edu/~astan/avs01.htm>

AT4 "Multilayer Ceramic/Metallic Coatings by Ion Beam-Assisted, Electron Beam Physical Vapor (EB-PVD) Deposition, Penn State Applied Research Laboratory, pp. 1-4 (1997)

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|------------------------|----------------|--------------------|----------|-------------------|---------|----------|
|                        | AA5            | 5,683,453          | 11/4/97  | Palmaz            | 623/1   | 623/12   |
|                        | AB5            | 5,656,036          | 8/12/97  | Palmaz            | 623/12  | 606/195  |
|                        | AC5            | 5,938,697          | 8/17/99  | Killion, et al.   | 623/1   | 623/12   |
|                        | AD5            | 5,938,682          | 8/17/99  | Hojeibane, et al. | 606/198 | 623/1    |
|                        | AE5            | 5,913,896          | 6/22/99  | Boyle, et al.     | 623/1   | 623/11   |
|                        | AF5            | 5,879,370          | 3/9/99   | Fischell, et al.  | 606/198 | 623/1    |
|                        | AG5            | 5,868,782          | 2/9/99   | Frantzen          | 606/198 | 606/1    |
|                        | AH5            | 5,843,117          | 12/1/98  | Alt, et al.       | 606/194 | 623/1    |
|                        | AI5            | 5,855,600          | 1/5/99   | Alt               | 623/1   | 623/12   |
|                        | AJ5            | 5,824,045          | 10/20/98 | Alt               | 623/1   | 606/191  |
|                        | AK5            | 5,843,117          | 12/1/98  | Alt, et al.       | 606/194 | 623/1    |

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| AL5            |                    |      |         |       |          |                  |
| AM5            |                    |      |         |       |          |                  |
| AN5            |                    |      |         |       |          |                  |
| AO5            |                    |      |         |       |          |                  |
| AP5            |                    |      |         |       |          |                  |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**AR5 "Benefits From Diamond-Like Coated Stainless Steel Stents", <http://www.phytis.com/stents0.htm>, pp. 1-2AS5 "Adhesion of Bovine Serum Albumin on Coated DLC (Diamond-Like) and Uncoated (SiO<sub>2</sub> / TiO<sub>2</sub>) Sensor Chips", <http://www.phytis.com/stent4.htm>, pp. 1-2AT5 "Flow Cytometric Investigation", <http://www.phytis.com/stent6.htm>, pp. 1-3

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|------------------------|----------------|--------------------|----------|--------------|---------|----------|
|                        | AA6            | 5,780,807          | 7/14/98  | Saunders     | 219/121 | 29/557   |
|                        | AB6            | 5,607,445          | 3/4/97   | Summers      | 606/198 | 623/1    |
|                        | AC6            | 5,776,161          | 7/7/98   | Globerman    | 606/194 | 606/192  |
|                        | AD6            | 5,593,442          | 1/14/97  | Klein        | 623/12  | 623/1    |
|                        | AE6            | 5,569,295          | 10/29/96 | Lam          | 606/198 | 606/196  |
|                        | AF6            | 5,514,154          | 5/7/96   | Lau, et al.  | 606/195 | 606/194  |
|                        | AG6            | 5,895,406          | 4/20/99  | Gray, et al. | 606/198 | 623/1    |
|                        | AH6            | 5,876,432          | 3/2/99   | Lau, et al.  | 623/1   | 623/12   |
|                        | AI6            | 6,015,429          | 1/18/00  | Lau, et al.  | 623/1   | 623/12   |
|                        | AJ6            | 5,919,225          | 7/6/99   | Lau, et al.  | 623/1   | 623/12   |
|                        | AK6            | 6,066,167          | 5/23/00  | Lau, et al.  | 623/1   |          |

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|----------------|--------------------|------|---------|-------|----------|------------------|
| AL6            |                    |      |         |       |          |                  |
| AM6            |                    |      |         |       |          |                  |
| AN6            |                    |      |         |       |          |                  |
| AO6            |                    |      |         |       |          |                  |
| AP6            |                    |      |         |       |          |                  |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**AR6 "Pre-clinical and Clinical Evaluation", <http://www.phytis.com/stent2.htm>, pp. 1-2AS6 "The New Phytis Stent", <http://www.phytis.com/stent1.htm>, pp. 1-2AT6 "Invulnerability and Resistance of DLC-Coating", <http://www.phytis.com/stent3.htm>, pp. 1-3

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|------------------------|----------------|--------------------|----------|----------------|-----------|----------|
|                        | AA7            | 6,066,168          | 5/23/00  | Lau, et al.    | 623/1     | 623/1.15 |
|                        | AB7            | 6,056,776          | 5/2/00   | Lau, et al.    | 623/1     | 623/12   |
|                        | AC7            | 5,603,721          | 2/18/97  | Lau, et al.    | 606/195   | 606/194  |
|                        | AD7            | 6,059,808          | 5/9/00   | Boussignac     | 606/191   | 606/194  |
|                        | AE7            | 6,033,433          | 3/7/00   | Ehr, et al.    | 623/1     | 623/12   |
|                        | AF7            | 6,027,526          | 2/22/00  | Limon, et al.  | 623/1     | 623/12   |
|                        | AG7            | 6,022,370          | 2/8/00   | Tower          | 606/194   | 606/195  |
|                        | AH7            | 5,972,018          | 10/26/99 | Israel, et al. | 606/198   | 623/1    |
|                        | AI7            | 6,066,169          | 5/23/00  | McGuiness      | 623/1.16  |          |
|                        | AJ7            | 5,277,933          | 1/11/94  | Claar, et al.  | 427/248   | 427/249  |
|                        | AK7            | 5,855,955          | 1/5/99   | Claar, et al.  | 427/248.1 | 427/249  |

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|----------------|--------------------|------|---------|-------|----------|------------------|
| AL7            |                    |      |         |       |          |                  |
| AM7            |                    |      |         |       |          |                  |
| AN7            |                    |      |         |       |          |                  |
| AO7            |                    |      |         |       |          |                  |
| AP7            |                    |      |         |       |          |                  |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**AR7 "Material In Use and Its Biocompatibility", <http://www.phytis.com/stent5.htm>, pp. 1-2AS7 "Expertise Concerning the Implementation of the PHYTIS DIAMOND AS STENT Performed at the Institute for Experimental Medicine (IEM)", <http://www.phytis.com/stent9.htm>, pp. 1AT7 "PHYTIS L.D.A. Home Page information", <http://www.phytis.com/content/hlm>, pp. 1-15

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|------------------------|----------------|--------------------|----------|-----------------|----------|------------|
|                        | AA8            | 5,945,153          | 8/31/99  | Deamaley        | 427/2.12 | 427/527    |
|                        | AB8            | 5,925,063          | 7/20/99  | Khosravi        | 606/200  | 606/213    |
|                        | AC8            | 5,061,914          | 10/29/91 | Busch, et al.   | 337/140  | 60/527     |
|                        | AD8            | 6,096,175          | 8/1/00   | Roth            | 204/192  | 204/192.14 |
|                        | AE8            | 5,907,893          | 6/1/99   | Zadno-Azizi     | 29/6.1   | 29/412     |
|                        | AF8            | 6,019,784          | 2/1/00   | Hines           | 623/1    | 600/36     |
|                        | AG8            | 5,545,210          | 8/13/98  | Hess, et al.    | 623/1    | 623/11     |
|                        | AH8            | 5,628,788          | 5/13/97  | Pinchuk         | 623/1    | 623/12     |
|                        | AI8            | 5,788,558          | 8/4/98   | Klein           | 451/136  | 451/113    |
|                        | AJ8            | 5,370,684          | 12/6/94  | Vallana, et al. | 623/1    | 623/11     |
|                        | AK8            | 5,049,251          | 9/17/91  | Inone           | 204/192  | 204/298    |

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| Ref.<br>Desig. | Document<br>Number | Date | Country | Class | Subclass | Trans.<br>Yes No |
|----------------|--------------------|------|---------|-------|----------|------------------|
| AL8            |                    |      |         |       |          |                  |
| AM8            |                    |      |         |       |          |                  |
| AN8            |                    |      |         |       |          |                  |
| AO8            |                    |      |         |       |          |                  |
| AP8            |                    |      |         |       |          |                  |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR8 "Risk Analysis of Stents With a Diamond-Like Coated Surface For Use in Prosthetic Implants", <http://www.phytis.com/risk.htm>, pp. 1-6

AS8 "Directions for Use; DIAMOND AS® Stent", <http://www.phytis.com/direcuse.htm>, pp. 1-8

AT8 "Stents: Literature", <http://www.phytis.com/liter.htm>, pp. 1-8

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| Examiner's<br>Initials | Ref.<br>Desig. | Document<br>Number | Date     | Name               | Class     | Subclass   |
|------------------------|----------------|--------------------|----------|--------------------|-----------|------------|
|                        | AA9            | 5,133,845          | 7/28/92  | Vallana, et al.    | 204/192   | 204/192.11 |
|                        | AB9            | 5,421,955          | 6/6/95   | Lau, et al.        | 216/48    | 156/244    |
|                        | AC9            | 5,540,820          | 7/30/96  | Terakado, et al.   | 204/192.3 | 204/192.15 |
|                        | AD9            | 5,685,961          | 11/11/97 | Pourrezaei, et al. | 204/192   | 204/192.14 |
|                        | AE9            | 5,843,289          | 12/1/98  | Lee, et al.        | 204/192   | 204/192.32 |
|                        | AF9            | 5,855,802          | 1/5/99   | Acciai, et al.     | 216/8     | 216/56     |
|                        | AG9            | 5,951,881          | 9/14/99  | Rogers, et al.     | 216/41    | 216/8      |
|                        | AH9            | 6,013,855          | 1/11/00  | McPherson          | 623/11    | 600/36     |
|                        | AI9            | 2001/39449         | 11/8/01  | Johnson, et al.    | 623       | 1.19       |
|                        | AJ9            | 5,798,042          | 8/25/98  | Chu, et al.        | 210       | 490        |
|                        | AK9            | 5,329,514          | 7/12/94  | Eguchi, et al.     | 369       | 126        |

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| Ref.<br>Desig. | Document<br>Number | Date | Country | Class | Subclass | Trans.<br>Yes No |
|----------------|--------------------|------|---------|-------|----------|------------------|
| AL9            |                    |      |         |       |          |                  |
| AM9            |                    |      |         |       |          |                  |
| AN9            |                    |      |         |       |          |                  |
| AO9            |                    |      |         |       |          |                  |
| AP9            |                    |      |         |       |          |                  |

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)

AR9 "Vacuum Conditions for Sputtering Thin Film TiNi", Journal of Vacuum Science and Technology, JVST A Online, pp. 1-2 (Abstract view)

AS9 "Oriented nickel-titanium shape memory alloy films prepared by annealing during deposition", by Kathleen Gisser, et al., Applied Physics Letters, Vol. 61, Issue 14, pp. 1632-1634 (Abstract view)

AT9 "Relative importance of bombardment energy and intensity in ion plating", K.S. Fancey, et al., Journal of Vacuum Science & Technology A: Vacuum, Surfaces and Films, Vol. 13, Issue 2, pp. 428-435 (Abstract view) March 1995

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|------------------------|----------------|--------------------|----------|----------------|-------|----------|
|                        | AA10           | 5,376,463          | 12/27/94 | Bak, et al.    | 428   | 547      |
|                        | AB10           | 5,158,750          | 10/27/92 | Finicle        | 422   | 102      |
|                        | AC10           | 6,312,463          | 11/6/01  | Rourke, et al. | 623   | 1.39     |
|                        | AD10           |                    |          |                |       |          |
|                        | AE10           |                    |          |                |       |          |
|                        | AF10           |                    |          |                |       |          |
|                        | AG10           |                    |          |                |       |          |
|                        | AH10           |                    |          |                |       |          |
|                        | AI10           |                    |          |                |       |          |
|                        | AJ10           |                    |          |                |       |          |
|                        | AK10           |                    |          |                |       |          |

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| Ref.<br>Desig. | Document<br>Number | Date | Country | Class | Subclass | Trans.<br>Yes No |
|----------------|--------------------|------|---------|-------|----------|------------------|
| AL10           |                    |      |         |       |          |                  |
| AM10           |                    |      |         |       |          |                  |
| AN10           |                    |      |         |       |          |                  |
| AO10           |                    |      |         |       |          |                  |
| AP10           |                    |      |         |       |          |                  |

**OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)**

AR10 "Thin Film Shape Memory Microvalves with Adjustable Operation Temperature" by Kohl, Dittmann, Quandt and Winzek, Sensors and Actuators, Vol 83, pp. 214-219, (2000)

AS10 "Multicomponent Film Deposition by Target Biasing". IBM Technical Disclosure Bulletin, pp. 1-2 (July 1980)

AT10 See added pages.

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1. "The Effects of Ion Irradiation on NiTi Shape Memory Alloy Thin Films" by F. Goldberg and E. Knystautas, Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 177-182 (1997)
2. "Constitutive Parts of a Shape Memory Alloy Titanium Nickel Thin Film Catheter" by L. Buchailot, et al., Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 183-188 (1997)
3. "The Effect of HCD Technological Factors on the NiTi SMA Film Thickness" by Q. Pingshan, et al., Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 173-176 (1997)
4. "The Characteristics of NiTi HCD-Deposited SMA Films" by H. Weixin, et al., Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 167-172 (1997)
5. "Microstructure of Ti-Rich TiNi Thin Films" by A. Ishida, et al., Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 161-166 (1997)
6. "Thin Film Shape Memory Alloy Microactuators" by TiNi Alloy Company (online)
7. "Progress in Thin Film Shape Memory Microactuators" by Johnson, et al., [www.sma-mems.com/recent.htm](http://www.sma-mems.com/recent.htm) (Overview), pp 1-5
8. "The influence of ion irradiation during film growth on the chemical stability of film/substrate systems" by W. Ensinger, Surface and Coatings Technology, Vol. 80, pp. 35-48 (1996)
9. "Sputtering Targets High-Quality Thin Film Materials" by AMETEK Specialty Metal Products online at [www.ametek84.com/fd-sputtering.html](http://www.ametek84.com/fd-sputtering.html), pp. 1-3

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10. "A Concise History of Vacuum Coating Technology, Part 2: 1940 to 1975" by D. Mattox, [www.svc.org/Historyof Vac2.html](http://www.svc.org/HistoryofVac2.html), pp 1-15
11. "Model Surfaces for Studying and Controlling the Adhesion of Cells" by M. Mrksich, AVS 47<sup>th</sup> International Symposium, Invited Paper No. BI+EL-TuA1 (October 3, 2000)
12. "Cell Response to Chemically and Topographically Modified Surfaces" by D.S. Sutherland, et al., AVS 47<sup>th</sup> International Symposium, Paper No. BI+EL-TuA3 (October 3, 2000)
13. "Tissue Formation of Hepatocytes on Micro-Porous Films of Polylactide" by T. Nishikawa, et al., AVS 47<sup>th</sup> International Symposium, Paper No. BI+EL-TuA10 (October 3, 2000)
14. "Endothelial Cell Organization on Micropatterned Protein Surfaces" by R. Daw, et al., AVS 47<sup>th</sup> International Symposium, Paper No. BI+WeP21 (October 4, 2000)
15. "The Nanomechanical Properties of Thin Films" by J.E. Houston, AVS 47<sup>th</sup> International Symposium, Paper No. TF-TuA1 (October 3, 2000)
16. "Anomalous Plastic and Elastic Behaviors of Sputter-deposited TiN with 10 or 20 Inserted Thin Al Layers Evaluated by Nanoindentation" by E. Kusano, et al., AVS 47<sup>th</sup> International Symposium, Paper No. TF-TuA3 (October 3, 2000)
17. "Recent Progress in the Application of Thin Film Shape Memory Alloys" by A.D. Johnson and J.D. Busch, Proceedings of the First International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 299-310 (1994)
18. "Shape Memory Properties in NiTi Sputter-deposited Film", by J.D. Busch and A.D. Johnson, J Appl. Phys., Vol. 68, No. 12, pp. 6224-6226 (December 15, 1990)
19. "Thin-film Processing of TiNi Shape Memory Alloy" by J.A. Waker and K.J. Gabriel, Sensors and Actuators, A21-A23, pp. 243-246 (1990)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

(Information Disclosure Statement - Section 9 PTO-1449 (Modified) [6-1] -- page 19 of 21)

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FORM PTO - 1449 (Modified)  
List of Patents and Publications  
For Applicant's Information  
Disclosure Statement  
(Use Several Sheets if Necessary)

ATTORNEY DOCKET NO: 6006-019  
APPLICANT: Palmaz, et al.  
FILING DATE: 12/22/00  
SERIAL NO: 09/745,304  
GROUP: 3731

OTHER ART (Including Author, Title, Date, Pertinent Pages, Etc.)  
ADDED PAGE

20. "Sputter-deposition of TiNi, TiNiPd and TiPd films displaying the two-way shape-memory effect" by E. Quandt, et al., Sensors and Actuators, A 53, pp. 434-439 (1996)

21. "Applications of Shape-Memory Alloy Thin Films" by A.D. Johnson and V.V. Martynov, Proceedings of the Second International Conference on Shape Memory and Superelastic Technologies Asilomar Conference Center, Pacific Grove, California, USA, pp. 1-8 (1997)

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw a line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

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10.

**Identification Of Person(s) Making This INFORMATION DISCLOSURE STATEMENT**

NOTE: 37 CFR 1.56(b) states: "Disclosures ... may be made to the Office through an attorney or agent having responsibility for the preparation or prosecution of the application or through an inventor who is acting in his or her own behalf."

The person making this statement is

(check each applicable item (a) and (b))

(a) ☐ the inventor(s) who signs below

\_\_\_\_\_  
SIGNATURE OF INVENTOR

\_\_\_\_\_  
Type name of inventor who is signing

(b) ☒ the attorney who signs below on the basis of:

(check each applicable item)

☐ the information supplied by the inventor(s)

☐ which has been reviewed by the attorney

☐ which has not been reviewed by the attorney

☒ the information in the attorney's file

Reg.No.: 31,872

  
\_\_\_\_\_  
SIGNATURE OF ATTORNEY

Tel.No. (312) 397-0303

David G. Rosenbaum  
Type or Print Name of Attorney

875 North Michigan Avenue, Suite #3653  
P.O. Address

Chicago, Illinois 60611

(Information Disclosure Statement - Section 10 Identification of Person(s) Making This Information Disclosure Statement [6-1] --  
page 21 of 21)

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